

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

DOUGLAS R. McCARROLL,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 3:96CV00124 (AVC)
	:	
JAMES NARDOZZI and	:	
RICHARD DePINTO,	:	
Defendants.	:	

ORDER ON THE PLAINTIFF'S CLAIM FOR EXPENSES

This is an action for damages pursuant to 42 U.S.C. § 1983. The plaintiff, Douglas R. McCarroll, is incarcerated and has filed this action pro se and in forma pauperis pursuant to 28 U.S.C. § 1915. The plaintiff alleges that defendants, Waterbury police officers James Nardozzi and Richard DePinto, unlawfully searched his home, assaulted him, and falsely arrested him in violation of the First, Fourth, Sixth, Eighth, Ninth, Thirteenth and Fourteenth Amendments of the United States Constitution.

On January 1, 2004, the plaintiff filed a motion to compel discovery (document no.110). On September 8, 2004, the court granted the plaintiff's motion to compel (document no.115). In granting the motion to compel, the court ordered the defendants to pay McCarroll ``the reasonable expenses incurred in making the motion' [to compel] subject to McCarroll's providing the court with a detailed accounting of his expenses". See Walker v. Tri-Tech Planning Consultants, Inc., 149 F.R.D. 22 (E.D.N.Y.

1993) (awarding pro se litigant expenses in filing Rule 37 motion).

On October 15, 2005, the plaintiff submitted an "affidavit of expenses"(document no.12). On October 28, 2005, the defendants submitted an objection to the plaintiff's submission of expenses (document no.122).

After reviewing the submissions of both parties, the court concludes that the plaintiff is entitled to \$35.75 in expenses for bringing the January 2004 motion to compel. This total represents the amount the plaintiff paid for copies of cases in preparation for the motion, type ribbons to type the motion and reply, copies of the original motion and reply, as well as stamps and envelopes to mail the motion and reply. Accordingly, the court orders the defendants to pay the plaintiff \$37.75.

It is so ordered this 19th day of July, 2005 at Hartford, Connecticut.

/s/_____
Alfred V. Covello
United States District Judge